

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:	)		
	)	Case No.	<b>B-14- C13G</b>
<b>Tyrone Randolph Griffith</b>	)	Chapter	<b>13</b>
<b>Simone Andrea Griffith</b>	)		
<b>3 Briarbranch Court</b>	)		
<b>Greensboro, NC 27405-9699</b>	)		
	)		
	)		
SS# <u>xxx-xx-0635</u>	)		
SS# <u>xxx-xx-1466</u>	)		
Debtors	)		

**NOTICE TO CREDITORS AND PROPOSED PLAN**

**The Debtors filed for relief under Chapter 13 of the United States Bankruptcy Code on October 16, 2014.**

**The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.**

**Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.**

**A creditor must timely file a proof of claim with the Bankruptcy Court in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the proof of claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.**

## CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

### I. Plan Payments

The plan proposes a payment of **\$1,060.00** per month for a period of **60** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

### II. Administrative Costs

#### 1. Attorney fees.

- ☒ The attorney for the Debtor will be paid the base fee of **\$3,700.00**. The Attorney has received \$ **500.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.
- ☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

#### 2. Trustee costs.

The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses

### III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. § 507 will be paid in full in deferred cash payments unless otherwise indicated.

#### 1. Domestic Support Obligations ("DSO")

- a. ☒ None
- b. The name, address, and phone number, including area code, of the holder of any DSO as defined in § 101(14A) is as follows:

Name of DSO Claimant	Address, city, state & zip code	Telephone Number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment

#### 2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
Internal Revenue Service	<b>\$9,987.00</b>
NC Dept of Revenue	<b>\$346.00</b>

#### IV. Secured Claims

##### 1. Real Property Secured Claims

- a. ☐ None
- b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Briarmeade HOA	HOA dues on residence	R	Y	\$15.00	\$0.00	D
Ocwen Loan Servicing	mortgage on residence	R	Y	\$831.00	\$0.00	D

##### 2. Personal Property Secured Claims

- a. ☐ None
- b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per § 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Nissan Motor	2012 Nissan	\$32,326.00	Y	\$15,076.00	\$172.00	\$288.00	Till
OneMain Financial	2007 Nissan	\$9,455.00	Y	\$1,655.00	\$78.00	\$130.00	Till
Regional Finance	BR Furniture	\$400.00	Y	\$0.00	\$0.00	\$7.00	

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

*To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).*

##### 3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
Hilton Grand Vacations	Time Share in Orlando FL

##### 4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. § 522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
-NONE-	

**V. Co-Debtor Claims**

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
-NONE-			

**VI. General Unsecured Claims Not Separately Classified**

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is **4%**.

**VII. Executory Contracts/Leases**

- a. ☒ None
- b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

- c. The following executory contracts and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
-NONE-						

**VIII. Special Provisions**

- a. ☒ None
- b. Other classes of unsecured claims and treatment
- c. Other Special Terms

Date: October 16, 2014

/s/ Jeffrey P. Farran

**Jeffrey P. Farran**

Attorney for the Debtors

Address: **1515 W. Cornwallis Drive, Suite 101  
Greensboro, NC 27408-6334**

Telephone: **336-272-2157**

State Bar No. **05595**

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:

**Tyrone Randolph Griffith  
Simone Andrea Griffith**

SS# xxx-xx-0635

SS# xxx-xx-1466

Debtors

**CERTIFICATE OF SERVICE**

Case No. **B-14- C13G**

The undersigned certifies that a copy of the **Notice to Creditors and Proposed Plan** was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Anita Jo Kinlaw Troxler  
Chapter 13 Trustee  
P.O. Box 1720  
Greensboro, NC 27402-1720**

**Belk/Synchrony Bank  
c/o Leading Edge Recovery Solutions  
5440 N Cumberland Avenue, Suite 300  
Chicago, IL 60656-1490**

**Blue Cross/Blue Shield of NC  
Financial Recovery  
P.O. Box 30048  
Durham, NC 27702-3048**

**Briarmeade Homeowner's Assoc  
c/o HOA Management, Inc.  
P.O. Box 19209  
Greensboro, NC 27419-9209**

**Capital One Bank  
Attn: Bankruptcy Dept.  
P.O. Box 30285  
Salt Lake City, UT 84130-0285**

**Credit One Bank  
Attn: Bankruptcy Dept.  
P.O. Box 98873  
Las Vegas, NV 89193-8873**

**Dell Financial Services  
Dell Financial Services Customer Care  
Attn: Bankruptcy  
P.O. Box 81577  
Austin, TX 78708**

**ED Financial Services  
120 N Seven Oaks Drive  
Knoxville, TN 37922**

**Employment Security Commission  
Tax Dept  
P.O. Box 26504  
Raleigh, NC 27611-6504**

**FirstPoint Collection Resources  
P.O. Box 26140  
Greensboro, NC 27402-6140**

**Greensboro City Taxes  
P.O. Box 3136  
Greensboro, NC 27402**

**Guilford County Tax Dept.  
P.O. Box 3328  
Greensboro, NC 27402-3328**

Hilton Grand Vacations  
P.O. Box 402705  
Atlanta, GA 30384

Hilton Grand Vacations  
Association Manager  
P.O. Box 402705  
Atlanta, GA 30384-2705

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia, PA 19101-7346

JC Penney/Synchrony Bank  
Attn: Bankruptcy Dept.  
P.O. Box 965060  
Orlando, FL 32896-5060

Lowes/GECRB  
Attention: Bankruptcy Department  
P.O. Box 103104  
Roswell, GA 30076

Military Star Exchange Credit Program  
Attn: Bankruptcy Dept.  
P.O. Box 650410  
Dallas, TX 75265-0410

Military Star/Chase Bank  
P.O. Box 15298  
Wilmington, DE 19850

Moses Cone Health  
c/o Optimum Outcomes, Inc.  
Attn: Bankruptcy  
2651 Warrenville Road, Suite 500  
Downers Grove, IL 60515

NC Dept of Revenue  
Attn: Bankruptcy Unit  
P.O. Box 1168  
Raleigh, NC 27640-0001

Nissan Motor Acceptance  
Attn: Bankruptcy Dept.  
P.O. Box 660366  
Dallas, TX 75266

Ocwen Loan Servicing  
Attn: Bankruptcy Dept.  
P.O. Box 24738  
West Palm Beach, FL 33416-4738

OneMain Financial  
Attn: Bankruptcy Department  
P.O. Box 6042  
Sioux Falls, SD 57117-6042

OneMain Financial  
2300 High Point Road  
Greensboro, NC 27403

Regional Finance  
3733-B Farmington Drive  
Greensboro, NC 27407

Sam's Club/Synchrony Bank  
Attn: Bankruptcy Dept.  
P.O. Box 965060  
Orlando, FL 32896-5060

Solstas Lab Partners  
c/o Stern & Associates  
415 N. Edgeworth Street, Suite 210  
Greensboro, NC 27401

Southern CA  
2420 Professional  
Rocky Mount, NC 27804

USAA Savings Bank  
P.O. Box 47504  
San Antonio, TX 78265

Walmart/Synchrony Bank  
Attn: Bankruptcy Dept.  
P.O. Box 965060  
Orlando, FL 32896-5060

Date: October 16, 2014

/s/ Jeffrey P. Farran

Jeffrey P. Farran NCSB# 05595  
Attorney for Debtors  
1515 W. Cornwallis Drive, Suite 101  
Greensboro, NC 27408-6334  
(336)272-2157